

THE HONOLULU REPUBLICAN

Published Every Morning Except Monday by the Robert Grieve Publishing Company, Limited.

DWIN S. GILL - - - EDITOR.

TELEPHONES.

Business Office.....Main 218.
Editorial Rooms.....Main 123.

Washington Bureau.....Post Building.

Entered at the Post Office at Honolulu, Hawaii, as second-class mail.

SUBSCRIPTION RATES.

Per Month, by Carrier.....\$.75
One Year, by Mail.....8.00
Six Months, by Mail.....4.00
Three Months, by Mail or Carrier 2.00

HONOLULU, H. T., AUG. 11, 1901

The street sales of the Sunday edition of The Republican alone exceed the total daily sales per month of the Advertiser. This is a fact patent to every resident of Honolulu.

Honoluluans can congratulate themselves that they are to have another season of first-class theatrical entertainments by the Neill company. New plays with new scenery will be much appreciated by the Honolulu public.

For a paper that is so prosperous as it claims to be the Advertiser shows most unusual concern about The Republican, which it claims is slowly dying. Too bad that a moribund establishment should cause a prosperous (?) one so much concern.

The Republican devotes a great deal of space this morning to the decision of the United States Supreme Court in what is known as the De Lima and the Crossman cases relating to the status of Hawaii and Porto Rico between the time of annexation and the erection of a Territorial Government. Just now there is unusual interest in Honolulu in knowing just what the United States Supreme Court did hold regarding the so-called "transition period" and it is to gratify this interest that the decision of the court, as furnished by the Solicitor General of the United States, is given in full.

The ponderous slow going ox calling itself the blabberer now seeks to make its few readers think that it has a correspondent in Washington and publishes a fake letter signed with the initials "D. C. L." According to the very latest issue of the Congressional Directory the only correspondents whose names begin with the letter "L" are Landon, Hal D. Larnier, R. M. Leupp, Francis E. Little, Edward S. (The Republican's correspondent), Lockwood, Chas. B. Low, A. Maurice, and Luhnnow, C. A. As none of these men have the initials D. C. L., and as the list of correspondents fails to show any one in Washington with these initials perhaps the Advertiser can inform us who its correspondent is and where he has his office in Honolulu.

The Republican presents this morning a very interesting interview with Senator Perkins of California upon the subject of a cable to Hawaii. It will be news to many people here that a "prominent attorney of Hawaii" opposed a government cable in Washington. This prominent attorney was A. S. Hartwell who was paid ten thousand dollars to go to Washington to labor for such an Organic Act as the Dole clique wanted and who spent most of his time in working for the appointment of Dole as Governor, all at public expense. It now appears that Mr. Hartwell did not lose sight of the main chance and that he also found time to earn a retainer from the New York Cable Company. The people of Hawaii have to thank Mr. Hartwell and those who sent him to Washington at public expense, for Honolulu not being connected with the mainland by cable at the present time.

One of the clauses already adopted by the convention which is framing a new Constitution for Alabama will meet with general approval. It provides for changing the time of State elections from August to November and for holding sessions of the Legislature once every four years, unless that body is called by the Governor in extra session. The need for a change in the time of holding State elections is obvious. Every Presidential year Alabama is compelled to go to the expense of two elections when one would serve just as well. The separation of State from national elections was made when the Democrats gained control of Alabama after the reconstruction era, and it was done in order to prevent any Federal interference with the ballot box stuffing by which the State was carried. Quadrennial Legislative sessions will be a radical move and it

will give Alabama the fame of making the first change to sessions held only once in four years. Biennial sessions have worked well wherever tried and have become so popular as to be established in forty out of the forty-five States. It is probable that quadrennial sessions will be as well liked and be as generally adopted.

HABEAS CORPUS PROCEEDINGS.

The action of certain members of the bar, of Attorney General Dole and of Judge Frear of the Supreme Court in the various habeas corpus proceedings now before the courts are simply disgraceful. They show the gentlemen to be absolutely ignorant of the law governing habeas corpus proceedings and they are doing more than ought else that could be done to bring the Supreme Court and the legal profession of Hawaii into contempt and ridicule for their crass ignorance. If the thirty-seven members of the Bar Association who wanted Judge Humphreys removed are to be judged by Attorney General Dole and the attorneys for Frank Paha then it is well that a large number of attorneys did not attend the meeting of the association. Gauged by the standard thus presented the association should make the qualifications for membership to consist of absolute ignorance of all law.

Even the layman, who has been a general reader of current topics, has long since learned that habeas corpus proceedings are not appealable. As shown by The Republican yesterday morning in citing a decision of the Court of Appeals of the State of Texas, if writs of habeas corpus were subject to appeal such action would defeat the purpose of the writ and make of the writ but a solemn mockery. We would especially commend this decision to the Attorney General and particularly would we commend to him what Church, on Habeas Corpus, says of the respondent appealing from a writ of habeas corpus. Says this very good authority: "Sound policy forbids the right of appeal being granted to the respondent and the law has not conferred it upon him."

But then Attorney General Dole needs no law to confer the right of appeal upon the respondent, as represented by him, as long as he believes he has a compliant Chief Justice to crook the pregnant hinges of the knee at every beck and nod of the representative of the Dole administration.

But if this attempt at appeal by the Attorney General of the Territory shows ignorance of the law and absolute violation of all rights of citizens, so does the granting of an appeal by Chief Justice Frear in the case of Frank Paha show an utter disregard of the law. A guardian appointed by the court is just as much an officer of the court as is a receiver or a bailiff or any other appointee of the court. Paha purchased a piece of land from a minor under the guardianship of the court. The court not only refused to confirm the sale but directed Paha to redeem the land to the minor. This was as clearly within the power of the court as was the appointing of the guardian. The Supreme Court could have nothing to do with the appointing of the guardian, that was a matter resting entirely in the hands of the Circuit Court. Paha disobeyed the express orders of the Circuit Court and there was no method under which the court could compel obedience to its orders except by commitment for contempt. The Chief Justice issued a writ of habeas corpus making it returnable before Circuit Judge Gear. Judge Gear very properly dismissed the writ and now the Chief Justice permits the filing of an appeal upon the dismissal of the writ and the release of the prisoner upon his depositing a cash bail of fifty dollars. Was ever such an opera bouffe performance witnessed in any civilized country before? It is disgraceful. It stamps the Chief Justice as being as ignorant of law as the Attorney General, whose lack of knowledge of the commonest practice is notorious, and it further stamps him as a partisan judge who is willing to disgrace his ermine if by so doing he can make it appear to the ignorant and vicious that the Circuit Judge had committed an error.

Until the war with Spain this country was apparently content with its army and the manner in which it was managed during times of peace. The imposing military demonstrations made annually by other Powers did not seem to excite even a momentary feeling of envy or desire for emulation. But the war with Spain has aroused a spirit of militarism that is in marked contrast with the former sentiments. One of the latest evidences of this is to be found in a proposition approved by Secretary Root for the holding of extensive military maneuvers annually. The movement has reached a point where the Secretary of War has practically decided to select a site for the operations. Fort Riley, Kansas, is named

as the probable locality. Since this country has entered upon a wider field of operations the necessity for the proposed maneuvers may be a fact that must be met. Again, since the annual practice cruises of the American navy in peace times proved to be of the greatest practical value when war was declared, there seems no reason why the military branch of the service should not be drilled in the same manner.

The people of Hawaii could well afford to subscribe the money for the building of a cable for the local benefits that would ensue. On every steamer business men depart for the mainland on business trips at great expense and loss of time all of which business could be accomplished from home if there was a cable. The amount paid out for steamer fare and expenses on these trips, to say nothing of the loss of time, would more than pay the annual interest on the cost of a cable. But what Hawaii wants and what the people of the mainland want is a cable laid and owned by the government. The people of Hawaii can do much to secure favorable action by Congress in behalf of a government cable if they will but act together. The suggestion that a committee of three to five men go to Washington to urge the passage of a government cable bill by Congress is one that should be acted upon by the business men of this Territory. The cable cannot come too soon.

If any thing were needed to further demonstrate the infamy of many of the laws of Hawaii it has been afforded in the suit to dismiss the guardian of James Love. The law providing for the appointment of guardians of spendthrifts is in line with the laws providing for declaring people insane and for conviction with a majority jury without the formality of an indictment. It well illustrates the hodge podge legal practice in Hawaii under which the Supreme Court could play fast and loose with every law on the statute books, making decisions one way one day and reversing itself the next day, being always guided by what its members and interested parties were pleased to call public policy. With the merits of the Love case The Republican has nothing to say, but it believes it is high time that such an infamous law as the one which ties a man's property up, as Love's has been tied up, should be repealed.

HAWAII AND STATEHOOD.

Persons Not Sufficient.

From New York Mail and Express.
There cannot be presented sufficient reason for the campaign begun by Delegate Wilcox for Hawaiian Statehood to lead it to the slightest tinge of probable success. He adduces no evidence to show that the condition of Hawaii, socially or industrially, would be improved by making it a State, while it is undeniable that the expenses of its government would be larger than the cost of its administration as a Territory. The decision of the Supreme Court simplifies its government as a Territory. It is true that the Legislature of Hawaii has disappointed the better element of its people. But that may be regarded as an initial lesson in the art of self-government. It is doubtful whether the Hawaiian Legislature could surpass, for example, the recent record of the Pennsylvania Legislature.

No Statehood for Hawaii.

From the Philadelphia Press.
Delegate Wilcox, of Hawaii, who is enthusiastically advocating statehood for the territory of Hawaii, is wasting his time. Hawaii is not fit to become a State, and it will be a long time, if ever, before it will be so fitted. There is no evidence whatever to show that Hawaii would be better off as a State than as a Territory, while its expenses would be greatly increased.

The talk of uniting Hawaii with California meets with no favor either in Hawaii or in California, and is chimerical. Congress would give no consideration to such a proposition. Under the decision of the United States Supreme Court, Hawaii needs no statehood, and, like other of our new possessions, can be well governed under a territorial form of government such as it now has.

Hawaii Seeking Statehood.

From the Omaha Bee.
The announcement of the Delegate in Congress from Hawaii that he intends to present a bill providing for the admission of the islands to statehood is not surprising. The politicians who are in control of Hawaii are ambitious and they understand that they would have a much better chance to promote their welfare, politically and otherwise, with statehood than under a territorial government. But there is not the remotest probability that they will have their ambition in this respect gratified. There are contiguous territories which have been refus-

ed statehood for many years and they would be justified in revolting if Hawaii, which has been annexed to the United States less than three years, should be made a state.

But practically the whole American people would oppose such a proposition and it may be doubted if it will ever find sufficient favor here to prevail. As the Philadelphia Ledger says, Hawaii as a state would be a positive menace to the United States in that in all probability it would become a mere pocket borough, controlled by the few white men who, with the aid of an American man-of-war, first raised the American flag there. If not controlled by those it would be managed by Hawaiians. Under these circumstances, adds the Ledger, it is not likely that the people of the United States will favor the admission of Hawaii to statehood. Indeed, it is not easy to conceive of any circumstances in which the American people would be willing to create a state there and this will apply to the other insular possessions. The people of Hawaii may as well make up their minds to be satisfied with a territorial government, for that form will be continued indefinitely.

What Have We Sown.

From the Hilo Tribune.
The Advertiser has decisive information that Dole will not be removed. This is not a matter of any considerable interest. Dole has apparently removed himself, for if he does not return to his official chair soon the statute of limitations will run against him. We do not imagine that the Federal Executive will take any action in the premises unless it is absolutely necessary. The great white father at Washington is traditionally a long suffering individual. He also believes in letting people reap what they have sown. What the people of Hawaii sowed that they should reap Cooper, we don't exactly know; it must have been a combination of tar weed, Hilo grass, and Japanese beetle. Probably some other people wonder what the seed was from which the Territory is reaping Humphreys, and they think that in this case surely the husbandman will get what he sows. Not so, however, and the sooner the people of this Territory get over this idea of justification by faith and petition and commence to work out their own salvation and political destiny, as they were intended to when annexed, the better it will be for them, and the less they will add to the galaxy of their sister states and territories.

The Carbolized Kiss.

A kissing-bug with thoughtful frown,
Said to his little daughter:
"My kissing-buglet, can you swim?"
"For if you can't you oughter."

The little kissing-bug replied:
"Ma said that you had taught her,
"And that I, too, should learn to swim
"In carbolized rose water."
W. F. SABIN.

Metropolitan Meat Co.

108 KING STREET.

G. J. WALLER, - - - Manager.

Wholesale and Retail

**BUTCHERS and
NAVY CONTRACTORS**

THE
HONOLULU NEWS

The Tri-Weekly Leading Newspaper.
Best Job Printing at Lowest Prices.

Proprietor, - - DR. T. MITAMURA
Editor, - - - Y. KIMURA

OFFICE:
River Street near Beretania Bridge.
P. O. Box 842. Tel. White 541.

Ladies' Underwear

SKIRTS and CHEMISES

Made to Order and Kept in Stock

DRESSMAKING!
Good Fit Guaranteed, Best Workmanship, Lowest Prices.

L. J. SUN, NUUANU AVENUE
Near Panshi St.

EDDY REFRIGERATORS

The Old Reliable.
Everybody Know Them.

Two car loads just being opened at the Household Department
Bethel Street, above Castle & Cooke.

WILKE ALL PORCELAIN and PORCELAIN LINED
REFRIGERATORS.

WATER FILTERS in Assorted Sizes.

KITCHEN UTENSILS and CUTLERY.

Pacific Hardware Co., Ltd.

FORT STREET



COON SONGS

++++

...The many new ones introduced by Josephine Gassman and her Pickaninnies are to be found in our Music Department. Lee Johnson's latest rag time creations are winners. His "Close Your Dreamy Eyes for Mammy Lou" is one of the quaintest and most melodious negro lullabies that he has yet penned.

++++

Wall, Nichols Company, Ltd.

BY AUTHORITY

IN THE SUPREME COURT OF THE
TERRITORY OF HAWAII.

ORDER FOR A SPECIAL TERM.

The Supreme Court of the Territory of Hawaii deeming it necessary for the dispatch of business, it is hereby ordered that a Special Term of the said Court be held in Honolulu, Island of Oahu, in the court room of the said court, commencing at 10 o'clock a. m., on Monday, the 12th day of August, 1901.

By the Court:
HENRY SMITH,
Clerk Supreme Court of the Territory of Hawaii.

Dated at Honolulu aforesaid the 6th day of August, 1901.

IN THE CIRCUIT COURT OF THE
FIRST JUDICIAL CIRCUIT TERRITORY OF HAWAII.

NOTICE TO ATTORNEYS AND
OTHERS INTERESTED.

The Calendar of "Criminal Cases" will be taken up MONDAY morning, AUGUST 12, at 9:30 o'clock, and in case any defendant personally or by his counsel shall request the Court for an immediate trial of any case in which he is interested, the Court will proceed with the trial.
In case no request is made for trial all "Criminal Cases" now on the calendar will be continued until the NOVEMBER TERM, 1901 of this Court.
Honolulu, August 9, 1901.

GEO. D. GEAR,
Second Judge of the Circuit Court,
First Circuit, Territory of Hawaii,
Judge Presiding at the Term.

IN THE CIRCUIT COURT OF THE
FIRST CIRCUIT, TERRITORY
OF HAWAII.

AT CHAMBERS. IN PROBATE.
In the matter of the Estate of Maria Borges, late of Honolulu, Oahu, deceased.

The Petition and Accounts of the Administrator of the Estate of said deceased having been filed, wherein he asks that his accounts be examined and approved, and that a final order be made of distribution of the property remaining in his hands to the persons thereto entitled, and discharging him from all further responsibility as such administrator.

It is Ordered, that Friday, the 20th day of September, A. D. 1901, at 10 o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Honolulu, Island of Oahu, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted.

Honolulu, August 9th, 1901.
By the Court:
P. D. KELLETT, JR.,
4th Aug. 10-17-24-31. Clerk.

NOTICE.

McBRYDE SUGAR COMPANY, LTD.

Notice is hereby given that the twelfth and final assessment of 15 per cent. (\$3.00 per share) levied on the assessable stock of the McBryde Sugar Co., Ltd., is due on September 2nd, 1901, and will be delinquent on September 16th, 1901.

Stockholders will please make prompt payment at the office of Messrs. Theo. H. Davies & Co., Ltd., F. M. SWANZY,
Treasurer McBryde Sugar Co., Ltd.
Honolulu, August 7th, 1901.

PACIFIC HEIGHTS ELECTRIC RAILWAY.

NOTICE.
Commencing today, June 25th, all the cars on Pacific Heights Electric Railway will start from Nuuanu Avenue Station connecting with all tramway cars.

Wm. G. Irwin & Co

-LIMITED-

REFINED SUGARS

Cube and Granulated.

PARAFFINE PAINT CO.'S

Paints, Compounds and Building Papers.

PAINTS, OILS,

Lincol-Raw and Boiled,
Linseed-Raw and Boiled

INDURINE

Water-proof color-acer Paint, inside and outside; in white and colors.

FERTILIZERS

Alex. Cross & Sons' High-grade Scotch fertilizers, adapted for sugar cane and coffee.
N. Ohlandt & Co.'s chemical Fertilizers and finely ground Bonemeal

STEAM PIPE COVERING,

Reed's patent elastic sectional pipe Covering.

FILTER, PRESS CLOTHS,

Linen and Jute.

SEMENT, LIME & BRICKS

Agents For

WESTERN SUGAR CO.,
San Francisco, Cal.

RALPH Locomotive WORKS,
Philadelphia, Pa., U.S.A.

NEWELL UNIVERSAL MILL CO.,
(Manf. "National Cane Shredder")
Newark, U.S.A.

OHLANDT & CO.,
San Francisco, Cal.

RISDON IRON AND LOCOMOTIVE
WORKS,
San Francisco, Cal.

The Union Express Co.,

Office with Evening Bulletin.

410 King Street - - - Telephone 86.

We move safes, pianos and furniture.
We haul freight and lumber.
We sell black and white sand.
We meet all incoming coast steamers,
we check baggage on all outgoing steamers.

W. LARSEN,
Manager.

Notice to Property Owners

ooo

I have in my employ four first-class Plumbers from the Coast. I am now ready to figure on your work at the lowest prices. My men are Union Men. Give me a trial.

C. H. BROWN,
Territory Stables, King Street.

ARCTIC

Soda Water Works

127 Miller Street.

Between Beretania and Punchbowl.
Orders for all flavors of SODA WATER and HIRE'S ROOT BEER delivered free of charge to any part of the city.

TELEPHONE WHITE 911.

WILDER'S
STEAMSHIP COMPANY

FREIGHT and
PASSENGERS for
ISLAND PORTS